

**NIH POLICY MANUAL****2300-335-1 - NIH MERIT PROMOTION PLAN****Issuing Office: OHRM, 496-4851****Release Date: 07/24/96**

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- 1. Explanation of Material Transmitted:** This Instruction outlines the NIH procedures to be used in competitively selecting best qualified persons to fill vacancies on the basis of merit, fitness, and qualifications.
- 2. Filing Instructions:**

**Remove:** NIH Manual 2300-335-1, dated 4/1/87.**Insert:** NIH Manual 2300-335-1, dated 7/24/96.**PLEASE NOTE:** For information on:

- Content of this chapter, contact the issuing office listed above.
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**A. Merit Staffing Plan:**

- . This plan outlines competitive procedures to be used in selecting best qualified persons to fill vacancies on the basis of merit, fitness, and qualifications without regard to political, religious, or labor organization affiliation or non-affiliation, marital status, race, color, gender, sexual orientation, national origin, non-disqualifying disabling condition, or age, and shall be based solely on job-related criteria. The plan does not guarantee promotion but is intended to ensure that qualified available applicants receive fair consideration for positions filled under competitive procedures.
- b. Management may fill a vacancy by promotion, change to lower grad, noncompetitive conversion, reassignment, transfer, reinstatement, appointment from a delegate examining unit or Office of Personnel Management (OPM) list of candidates, or other appropriate sources of applicants. Applicants may be considered concurrently or consecutively from any recruitment sources. Subject to laws and regulations, management makes the final decision on selections and has the right to select or not select from among the best qualified candidates.
- c. Employees who are absent for legitimate reason and wish to be considered for other positions should provide their supervisors with an application package and a list of the types of positions for which they wish to be considered during their absence. Each ICD will develop steps for employees to submit applications.

**B. Merit Promotion Plan Coverage:**

The requirements and procedures outlined in this plan apply to actions involving positions in the competitive service: GS-1 through GS-15 and Federal Wage Schedule equivalents. The procedures of this promotion plan apply to:

- . all promotions not listed in the following paragraph of exceptions;

- b. selection for training which is required for promotion or part of an authorized training agreement or promotion plan;
- c. reassignment, demotion, transfer or reinstatement to a position with more promotion potential or a higher grade than previously held on a permanent basis in the competitive service; and
- d. detail to a higher grade or temporary promotion for over 120 days; and
- e. details over 120 days to a position with greater promotion potential; and
- f. temporary promotions over 120 days.

### **C. Exceptions to Competition:**

Competitive procedures do not apply to the following actions:

- . A promotion resulting from upgrading a position, without significant change in the duties and responsibilities, due to issuance of a new classification standard or the correction of an initial classification error;
- b. A position change permitted by reduction-in-force regulations (see 5 CFR 351);
- c. The upgrading of an employee's position due to accretion of additional higher grade duties and responsibilities where the successor position absorbs the old position;
- d. A career ladder promotion when at an earlier stage an employee was selected from a civil service register or under competitive promotion procedures for a position below the full performance level. The career ladders must be documented and the intent made a matter of record;
- e. A career ladder promotion following noncompetitive conversion of a student career experience program employee, veteran's readjustment appointee, Presidential Management Intern, or other authorized program or action;
- f. A promotion from a trainee position when the employee was selected for the target position under competitive procedures;
- g. A temporary promotion or detail to a higher grade of 120 calendar days or less. All details to higher grade positions and temporary promotions held during a 12 month period are counted when computing the 120 day period;
- h. Promotion to a grade previously held on a permanent basis in the competitive service (or in another merit system with which OPM has an interchange agreement) from which an employee was neither separated or demoted for performance or conduct reasons;
- i. Promotion, reassignment, demotion, transfer, reinstatement or detail to a position having promotion potential no greater than the potential of the position the employee currently holds or previously held on a permanent basis in the competitive service and did not lose for performance or conduct reasons;
- j. Promotion of a candidate not given proper consideration in a competitive promotion action;
- k. Promotion as a result of a negotiated settlement of a formal complaint (e.g., Equal Employment Opportunity complaints, administrative grievances).

**D. Scope of Competition:**

Applicants can be located through vacancy announcements, automated systems, skills bank, etc. Each vacancy will be advertised in a geographic or organizational area large enough that a reasonable number of highly qualified candidates may be anticipated that will endeavor to achieve a diverse work force that represents all segments of society. When staffing limits, ceiling controls or hiring freezes prevent an organization from adding to its staff, the scope of competition may be limited when consideration of candidates from outside a small area is not feasible.

**E. Vacancy Announcement:**

Minimum posting time will be five workdays and the announcement will state the procedures to be used for receipt of applications and conditions under which relocation expenses will be paid. A statement indicating whether relocation expenses will or will not be paid must be included in the vacancy announcement. Any other requirements for entry into a position must also be included in the vacancy announcement.

**F. Evaluating Candidates:**

Candidates must meet minimum qualification standards prescribed by OPM within 30 calendar days after the closing of the vacancy announcement. Evaluation must be based on job related requirements and must be applied fairly and consistently. Methods for evaluating candidates for selection may include rating guides, assessment centers, OPM Operating Manual Qualification Standards for General Schedule Positions, Job Qualification System for trades and labor occupations, and job analysis if they meet validity requirements and are based on job related criteria. Credit for performance appraisals, training, education, experience, awards, etc., must be given to the degree that it provides evidence that the applicant possesses the knowledge, skills, or abilities required for the position being filled. Selective factors may be included if they are necessary for successful performance in the job. Noncompetitive applicants may also be evaluated using these methods.

**G. Referral of Candidates:**

Personnelists, subject matter experts, panels, or selecting officials, may distinguish the best qualified candidates based on job-related criteria, knowledge, skills, or abilities. A certificate of best qualified candidates, listed alphabetically, is referred to the selecting official along with their applications. Competitive candidates are listed separately from noncompetitive candidates.

**H. Promotion Records:**

A file sufficient to allow reconstruction of the action must be kept for two years on each merit promotion action. Information must be made available as required by laws, regulations, and agreements. At a minimum, the file should contain the following information:

- . Vacancy announcement or method of recruitment, including minimum qualification requirements;
- b. Information on the process used to evaluate applicants, such as KSAs, including how

each candidate was rated and ranked;

- c. How the best qualified category was established;
- d. Name(s) and position(s) of individual(s) who determined best qualified group;
- e. All applications and appraisal forms submitted;
- f. The promotion certificate; and
- g. The name of the selectee.

### **I. Exceptions to the Merit Promotion Plan:**

The NIH Director of Human Resources is authorized to make exceptions to this plan. Any exception must meet the requirements of 5 CFR 335 and merit system principles.

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